

TESTIMONY OF ERIC BROWN
CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION
before the
GOVERNMENT ADMINISTRATION & ELECTIONS COMMITTEE

March 3, 2014

Good afternoon. My name is Eric Brown and I serve as associate council and director of energy and environmental policy for the Connecticut Business & Industry Association (CBIA). CBIA represents roughly 10,000 companies throughout Connecticut – both small and large businesses, nearly all of which are subject to state regulations.

CBIA appreciates this committee's continuing efforts to improve Connecticut's regulatory climate by ensuring the regulatory development process is as efficient as possible. We believe three bills on your public hearing agenda today provide opportunities to further that goal. That is why, we offer comment in general support, along with suggested modifications to:

S.B. 272: AN ACT ESTABLISHING A FIXED TIME PERIOD FOR AGENCY REVIEW OF EXISTING REGULATIONS;

H.B. 5049: AN ACT ELIMINATING UNNECESSARY GOVERNMENT REGULATION; and

H.B. 5358: AN ACT AUTHORIZING THE REGULATION REVIEW COMMITTEE TO RECOMMEND THE REPEAL OF OBSOLETE OR BURDENSOME REGULATIONS. (GAE)

Our specific positions and comments on each of these bills are attached.



H.B. 5358: AN ACT AUTHORIZING THE REGULATION REVIEW COMMITTEE TO RECOMMEND THE REPEAL OF OBSOLETE OR BURDENSOME REGULATIONS

CBIA supports this measure as it creates an opportunity for the legislature to conduct an independent assessment of whether regulations it authorized and approved at some time in the past, are 1) achieving their intended purpose; and 2) whether the burden on those subject to the regulations are reasonable relative to that intended purpose.

The bill does not provide the legislature with the authority to change the regulations, only to request the sponsoring agency to take action.

We do have a recommendation for improving the bill, as follows:

The current bill is somewhat narrow in that a request to the sponsoring agency can only be based on an assessment that the regulation is "obsolete or is too onerous." And the only action it may request is a repeal of the regulation.

CBIA request consideration of broadening the language so that even if the Regulations Review Committee were to determine that the regulation in question was not obsolete, per se, or even not "too onerous", but rather determined that the regulation could achieve its intended goals in a less onerous fashion, that it have the authority to request the sponsoring agency to make modifications consistent with that determination.

The following proposed changes for the committee's consideration are intended to reflect our suggested broadening of the bill:

Sec. 2. (NEW) (*Effective October 1, 2014*) The standing legislative regulation review committee may review any regulation of any agency to determine whether the regulation is: a) obsolete [or is] b) too onerous or c) still necessary to achieve a state purpose authorized by the legislature but could be modified to achieve this purpose in a manner that is less burdensome on persons who are required to comply with the regulation. As part of such review, the regulation review committee shall schedule a public hearing at which the committee may consider testimony of the agency and the public concerning the regulation under review. If, following such hearing, the committee [determines that the regulation is obsolete or is too onerous on the persons who are required to comply with the regulation] makes such a determination, the regulation review committee may request the agency to initiate the process under chapter 54 of the general statutes to repeal or modify any provision of such regulation, if such repeal or modification does not require the enactment of authorizing legislation. The regulation review committee shall also notify the joint standing committee of the General Assembly having cognizance of matters relating to the subject matter of the regulation of such request.

We believe these changes would make the bill more flexible and better able to meet the very important purpose of the bill to improve Connecticut's regulatory climate.

Thank you very much for this opportunity to provide comment in support of H.B. 5358.

